



A Method whereby Criminals liable to Transportation may be render'd not only Useful but Honest Members of the PUBLICK.



Notwithstanding, it is the Policy of every State, to sacrifice the incorrigibly Bad, to the Preservation of the Good: yet certain it is, that the Laws in *England*, are more severe against Theft, than the Nature of the Crime, simply deserves; and seem rather intended to Terrify, than Punish.

It's notorious that in such a City as
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This, there has always been great Numbers of dishonest Creatures, lurking to prey upon the Industry of their Neighbours, and deprive them of their Goods, the rewards of their Labour, and that even our Laws so repleat with Terrors, have been often frustrated; witness, the great Execution of Felons for some Years past, which Yearly Increasing ga Birth to the Transportation Act, to tigate their Severity. The two E chiefly propos'd by that Act seem'd to these, First, that without destroying, the Nation might in good measure be free'd from such Vermine: and next, that by being confin'd to Labour for a time in the Plantations Abroad, it might beget in them such a disposition to Industry, as would after its Expiration render them useful Members of the Publick.

But the means found, to evade that Law, and their Return before the expiration of the several Times, has engaged the the care of the Legislature, to prevent them.

One ceases to wonder, that Felons shou'd prefer the hazards of Hanging, to the Pains of Industry: but when one considers what sort of Miscreants they are, and what are the motives which first seduce them to it.

Idleness

Idleness, and Riot, when once habitual, but too soon are found, to produce such Practices: for they not only plunge such Wretches into the severest Wants, but farther Enervate their Minds, which were not brave enough, to encounter Poverty with honest Labour.

But what is most lamentable is (when Justice overtakes these unhappy Wretches) some unable to bear the reproaches of a Conscience shall stupify their Senses with spirituous Liquors whilst Others are seen to leave the World in unspeakable Sorrow and Confusion; The consideration of which, and, that by the Laws of God, Theft was not punishable with Death, occasion many when robb'd (scrupulous of prosecuting) to sit down quietly with their loss. So that unless Justice is to be disarm'd of all its Terrors 'tis necessary that some effectual Expedient be found out to bring every known Offender to Punishment; for why shou'd Thieves be suffer'd longer to flatter themselves with hopes of Impunity or Intice others into their Gangs with Persuasions that of Ten Thefts committed hardly one is discover'd and of ten discover'd

scarce one is Prosecuted to Conviction; and that of three Convicted rarely above one is Executed, which small hazard in their was of thinking is easily over balanc'd with the Ease and Pleasure they promise themselves; and that the worst which can happen, is but a Swing, a Wry-neck, and a Moments Pain.

The Means, which I conceive might effectually answer the Purposes aforesaid, and that I choose to offer now, the Subject is under the consideration of the Legislature, are as follows.

That such Felons (being Men) as are liable to Transportation, be confin'd in those Parts of *Great-Britain* from whence we have our Rough-Stone and wrought-Iron, there to be manacled o'Nights, Fetter'd by Day, and compell'd to work either at the Anvil or in sawing Stone, Naked to the Waste and used in the same manner as *such* are used in the *Rasp-House* at *Amsterdam*, and each Place or Work-House, to be called the *Hospital of Mercy*. Their Confinement to be from Five, to Fourteen Years, as doom'd by the Court where they are Convicted, and after the expiration of such their Terms they that work at the Forge shall be oblig'd to make Hammers, Nails, Hoes, Hatch-

Hatchets, and other Iron-works fit for the Plantations, 'till they are able to get an honest livelihood by the Smith's Trade; and in other places where there are Stone-Quarrys, to hack and hew the Stone into form fit for the Builder's use &c. And when at any one of these Places, their Labour shall have overpaid the Expence of their Settlement, a convenient Number of them shall be drawn-off, to Other places of the same Business, where their first Employment shall be, to build a strong open Work-House for themselves, and that all Aiders and Abettors of Escapes out of such said *Hospitals* be punished as such who help Felons out of Prison. And that for the preservation of their Souls, a Curate shall be appointed to each *Hospital* to Read Prayers, Morning and Evening, and to Preach on Sundays, and on Holidays, Repentance and Amendment of Life; and a Surgeon likewise be order'd to take care of their Bodily Health, and to advise when, and what Part of their Work ought to be abated.

As for Felons that shall be found Aged or Infirm, they shall be appointed to work at Employments less laborious, as Carding of Wool &c. in such *Hospitals*, and
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under such Regulations as aforesaid.

The Female Felons shall be kept by themselves, in *Hospitals* likewise Regulated as aforesaid, only not stript to the Waste as the Men, but employed in Carding of *Wool*, winding of *Yarn*, or such Works as shall be deem'd most proper for them.

And lastly, for those of either Sex ; that shall be found Incorrigible under such Discipline it is propos'd that they shall be exchanged, Two for One (if necessary) of such of our useful but unhappy Countrymen, as are, or shall be, at any time hereafter taken, and carry'd into Slavery, in Foreign Parts. And upon the whole I'll venture to infer, that was Theft only punished with Labour, and such kinds of Slavery, that every one would think himself bound in honour to Prosecute a Thief as readily as he would help to destroy a Wolf; and on the other hand the fear of such kinds of Punishment joyn'd to the despair of escaping, would inspire the Indigent with Thrift and Industry sufficient to maintain them above any kind of necessity to Pilfer and Steal from their Neighbours, and consequently prove a good security to the Persons, and Properties of the Subjects in general, and better to those
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Inhabiting within the Bills of Mortality in particular, than if Thousands were added to the Number of their Watchmen. The former Manner of Branding Thieves on the Cheek is happily laid aside, as it excluded them the Society of the Just, and left them destitute thereby of the means of getting an honest livelihood : But Justice thus managed, as an Act of Mercy, by slow, severe, and yet effectual Methods, will bring Criminals to a Sense of their Crimes, and beget in them such a habit of Industry as in the end will make them useful to the Commonwealth.

And lastly tho' the Labour of such Felons so employ'd will in a little time over pay the expence of maintaining them, yet as some Money will be necessary to set such an Undertaking on Foot, I shall propose the raising any Sum necessary to it in the following manner.

Let a proper Person be appointed in every Parish in *England*, and *Wales*, to attend every Parishioner in order for a Subscription for such a useful undertaking once in every Year ; and the Money so raised to be paid at some convenient Place in each County, to some proper Person appointed, to be by him remitted at small expence to some Office erected in *London* for that purpose and to be from thence distributed as Occasion shall require.

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And as an Expedient so full of Mercy will engage the Charity of all such as are truly religious, so its being effectual too, will no less meet with Subscriptions from those that only regard the preservation of their Propertie's, all which will needs raise any Sum necessary to it. But as some may object, that ill Consequences may happen (from Inflicting any kind of Slavery on free born Subjects) which in time may affect our Liberties, I shall answer such groundless suppositions with a matter of Fact. The Dutch having observ'd frequent Larcenies to have been committed amongst them; in the Year 1595 converted the Cloyster of the *Clarys* in *Amsterdam* into a *Rasp-House*, and therein confined Thieves to hard Labour, and yet after 132 Years Trial, have never found that such their exemplary Justice has occasioned the least Infringement of the Liberties of their honest Subjects, or had other consequences than effectually to clear their Country of Thieves, and secure to the People a much greater share of freedom and safety than formerly they had, both as to their Persons and Estates, and why should *We* fear any worse consequences from Confining Felons

lons to hard Labour at home, in respect to our Liberties, than we find at present from Transporting them abroad, to our Plantations? Jam. v, 20. *He that converteth the Sinner from the error of his Ways, shall save a soul from death, and shall hide a multitude of Sins.*

The Barbarous Practice, &c.

AS the Lives of all Capital Offenders become forfeit by the Laws of their Country, so the Bodies of such as shall be Executed may still be made useful to the Public.

The Bodies allow'd by Act of Parliament being found insufficient for the expensive Practice of Anatomy, occasions the barbarous custom of digging up dead Bodies, after decent Interment, from whose Corruption we run the manifest hazard of Contagious Distempers; and the frequent Riots at *Tyburn*, caused by the attempts of Surgeons to procure Bodies not allowed them by Law is such an Insult on the Peace and good Order of Society, as loudly calls for redress.

It is propos'd therefore, that such
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as notwithstanding the Expedients above-mention'd shall be doom'd to the Gallows, their Bodies after Execution shall be made liable to be purchas'd by any Surgeon on the following Conditions.

1st. That after the Surgeons Company have chosen the Body allowed them by Law that then any private Surgeon be at liberty to purchase any other he shall pitch upon, paying 20 s. And that the first Bidder according to a Register book kept for that purpose be the Buyer, and further, to prevent Riots at the Place of Execution, the Bodies shall be brought back again to Prison after they are Executed, by the Sheriffs Officers, from thence to be deliver'd by the Jail-keeper to the Parties which are to receive them. Provided always, that notwithstanding such Price pay'd by any Surgeon for any such Bodies, that the Relations of any of the Bodies aforesaid, paying Five Pounds *per* Body, may bury them themselves, out of which 5 Pounds so Paid, the Surgeon shall be allow'd back his 20 s. deposited as aforesaid, and the remainder shall be apply'd to buy Coals and other necessaries for such as shall remain in Prison.

The Women of *Sparta* being much addicted to Self-Murther, Senate the from their avow'd Modesty wisely found means
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to remedy that Evil, by making a Law, enjoying the Bodies of all such as should destroy themselves to be exposed naked on a Hurdle, and drawn publickly thro all the Streets of their City ; which prov'd so effectual; that only one was known to offend afterwards ; and as Death it self is hardly more terrible to the Minds of Criminals than the apprehensions of being dissected, so, were the Bodies of all Executed Felons, made liable to Dissection it would reduce the number of Felons, and in a manner greatly prevent such pernicious Offences and for the Incorrigible which nothing but the Gallows can restrain, their Bodies when executed being liable to Dissection, will effectually supply the demands of our Surgeons, and wholly prevent the Inhuman Custom of Stealing dead Bodies after decent Interment, a Villany which otherwise may be practis'd on the Body of the dearest Friend or Relation of any Person whatever.

But to conclude, were Criminals (as has been propos'd) confined to hard Labour for a term of Years, as Idleness and Riot, with the Inticements of their Companions at first seduc'd them, so their being divided from all such Companions unless in Misery Inur'd to Work, and taught an honest

honest Employment able to maintain them whilst the severity and durance of their Punishment would naturally inspire such lasting Impressions of Terror, as all the easy moments of future Life would not be able to efface ; It would needs answer the great end propos'd *viz.* to make Rogues honest, as well as useful Members of the Public.

And as the great Profits arising from the labour of Criminals in enlarging the Iron Trade, the better to supply Foreign Markets, and in sawing and hewing of Stone for the Builders use, &c. so allowing for the Beauty and duration of Buildings; Houses will be erected much cheaper with Stone than with Brick. And as their Earnings will soon overpay their Expences, so the surplus and the Money that will continue to be subscribed as aforesaid, may be apply'd to the Rewards of apprehending Highwaymen &c. or to what other uses shall be deem'd proper.

And lastly, as the making Executed Criminals, liable to Dissection, will greatly deter such otherwise Audacious Villians from the frequent perpetration of such pernicious Offences, so from the Incorrigible

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corrigible that shall necessarily be Executed, the Surgeons may be sufficiently supply'd, and then only can we be sure the Virtuous shall peaceably Sleep in those Graves in which they were honourably Inter'd.



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